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**CARLYON CICA CHTD.**

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**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

CASH CLOUD, INC.,  
dba COIN CLOUD,

Debtor.

Case No.: Case No. BK-S-23-10423-  
MKN

Chapter 11

**DECLARATION OF DAWN M. CICA,  
ESQ. IN SUPPORT OF EX PARTE  
APPLICATION FOR ORDER  
SHORTENING TIME TO HEAR  
MOTION TO CONVERT CASE TO  
CHAPTER 7**

Hearing Date: OST REQUESTED  
Hearing Time: OST REQUESTED

I, DAWN M. CICA, ESQ., hereby declare as follows:

1. I am an attorney licensed to practice law in the State of Nevada, and I am a principal of the law firm of Carlyon Cica Chtd., counsel for Chris McAlary ("McAlary").

2. I make this declaration in support of *Ex Parte Application for Order Shortening Time to Hear the Motion to Convert Case to Chapter 7* (the "Application").

3. This Declaration is based upon my personal knowledge, and if called to testify thereto, I could and would competently do so under oath.

4. The Debtor's conduct within the last week in connection with the sale of the estate's litigation against the Co-Chair of the Committee, BitAccess and Bitcoin Depot as

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1 described more fully in the Declaration of Christopher McAlary in Support of his Motion to  
2 Convert Case to Chapter 7, along with the enormous professional fees which are being incurred  
3 on a daily basis, demonstrate that it is appropriate to convert the case as an alternative to  
4 confirmation, which is scheduled to be heard next week notwithstanding a materially amended  
5 plan filed August 1.

6 5. The urgency includes the Debtor's statement that a payment of approximately  
7 CAD260,000 necessary to preserve claims against BitAccess is past due. While the Debtor  
8 agreed to sell claims to Mr. McAlary, drafted the sale motion, and (on August 5, 2023) recited  
9 that it was necessary to hear the sale motion on shortened time due to this fact, the Debtor  
10 subsequently stated that due to the Committee's objection it would not be moving forward to  
11 approve the agreed sale. The Committee's co-chair is one of the chief litigation targets.

12 6. While the Debtor is seeking confirmation of an amended plan at a hearing  
13 currently scheduled for August 17, 2023, the Debtor has not disclosed the extent to which  
14 administrative claims (and in particular professional fees) have grown to the extent that the  
15 plan (which has been revised to delay the effective date until such fees can be paid) cannot go  
16 effective.

17 7. The proposed plan is a liquidating plan, and it is clear that liquidation can much  
18 more efficiently be achieved by a chapter 7 trustee, who will also provide a neutral resource  
19 for determining issues regarding potential prosecution, settlement or sale of such claims.

20 8. I hereby declare under the penalty of perjury that the foregoing is true and  
21 correct to the best of my knowledge, information and belief.

22 DATED this 7th day of August 2023.

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/s/ Dawn M. Cica  
DAWN M. CICA, ESQ.

**CERTIFICATE OF SERVICE**

I am an employee of Carlyon Cica Chtd. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

☒ ELECTRONIC SERVICE: Pursuant to LR 2002 of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed and served on all parties and attorneys who are filing users through the Notice of Electronic Filing automatically generated by the Court.

☐ UNITED STATES MAIL: By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ OVERNIGHT COURIER: By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally recognized courier, addressed to the parties listed below which was incorporated by reference and made final in the w at their last-known mailing address.

☐ FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Nancy Arceneaux  
An employee of Carlyon Cica Chtd.

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